

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANGEL A. CUMBE, individually and in
behalf of all other persons similarly
situated,

ORDER

16cv0392 (AMD) (MDG)

Plaintiff,

-against-

PETER PAN DONUTS AND PASTRIES INC. and
CHRISTAS SIAKAKIS, jointly and
severally,

Defendants.

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The parties having jointly moved for leave to send a notice of
collective action (DE 18), the motion is granted as follows:

1. This action may proceed as a collective action under the
Fair Labor Standards Act, 29 U.S.C. §§ 216(b), et seq., and shall
include as putative party plaintiffs all employees of the
defendants, who were employed any time after January 25, 2013,
three years before the filing of the complaint in this action.

2. The Court approves the joint proposed notice of collective
action, but amended with the changes set forth in a marked version
annexed hereto.

3. The plaintiff shall mail by September 8, 2016 the revised
notice of collective action to putative party plaintiffs, along
with an accurate Spanish translation of the revised notice of
collective action.

4. The deadline for putative collective members to submit or mail a consent to the plaintiff's counsel or the Court shall be November 8, 2016.

5. The plaintiff must send to the defendants a poster containing the notice of collective action in English and Spanish. Within seven days after its receipt, the defendants must post the poster in a conspicuous place at the work place that is used or visited by all employees, and at all other locations where statutory notices to employees are posted.

6. Plaintiff's counsel must file executed consents received from opt-in collective action members every two weeks beginning October 14, 2016, with a final report to be filed by November 18, 2016 on the number of persons opting-in to this collective action.

SO ORDERED.

Dated: Brooklyn, New York
August 26, 2016

/s/_____
MARILYN D. GO
UNITED STATES MAGISTRATE JUDGE
(718) 613-2550